

BILL NO. Z-73-08 -24/

ZONING MAP ORDINANCE NO. Z- 21-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC24.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-2 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. CC24 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Northwest Quarter and Part of the Southwest Quarter of Section 10, Township 29 North, Range 12 East, in Allen County, Indiana, more particularly described as follows:

Beginning at the northeast corner of the Northwest Quarter of Sec. 10, Township 29 North, Range 12 east in Allen County, Indiana; thence south along the east line of the NW1/4 and the SW1/4 of Sec. 10-29-12 a distance of 3084.1 feet; thence west by a deflection angle to the right of 88 degr. 31 min. 40 sec. a distance of 1326.5 feet to a point on the west line of the east half of the SW1/4 of Sec. 10-29-12; thence north along the west line of the east half of the SW1/4 and the NW1/4 of Sec. 10-29-12, by a deflection angle to the right of 91 degr. 24 min. 01 sec. a distance of 3095.1 feet to a point on the north line of the NW1/4 of Sec. 10-29-12; thence east along said line by a deflection angle to the right of 89 degr. 04 min. 40 sec. a distance of 1330.14 feet to the point of beginning, containing 94.19 acres, more or less, subject to road right of way and easements.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian A. Schmidt
Councilman

APPROVED AS TO FORM
AND LEGALITY

[Signature]
CITY ATTORNEY

Read the first time in full and on motion by V. Schrade, seconded by Selma, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 8/14/73

Charles W. Johnston
CITY CLERK

Read the third time in full and on motion by Hubert, seconded by Shirley, and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

	AYES <u>7</u>	NAYS <u>1</u>	ABSTAINED _____	ABSENT <u>1</u> to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAUS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>A</u>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 10/23/73

Charles W. Johnston
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 3-21-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Johnston
CITY CLERK

Winfield C. Wines Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 8:30 o'clock A. M., E.S.T.

Charles W. Johnston
CITY CLERK

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P. M., E.S.T.

John A. Roberts
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 14, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-08-24; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

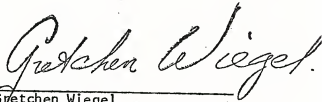
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 17, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall City plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 15, 1973.

Certified and signed this
22nd day of October, 1973.



Gretchen Wiegel
Secretary

Bill No. Z-73-08-24

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. CC24.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance is PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

DATE 10-23-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

Nº 212

FT. WAYNE, IND., 7/16 1973RECEIVED FROM Crackton, Chapman McNeilis \$ 50⁰⁰THE SUM OF fifty no ¹⁰⁰ DOLLARSON ACCOUNT OF Rezone from R.B - m2
SW 1/4, Sec 10 - 29N R12EN. Hartman

AUTHORIZED SIGNATURE

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____
Intended Use _____

I/We Jacob M. Schaefer, Ruth M. Schaefer, Don Shive, and George W. Tsintasroff
(Applicant's Name or Names)
do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-B District to a/an M-2 District the property described as follows:

See Exhibit "B"

RECEIVED

JUL 16 1973

FORT WAYNE CITY
PLAN COMMISSION

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Donald A. Shive 6001 S. Anthony, City Donald A. Shive
J. M. Schaefer 1815 Ferguson Rd, City J. M. Schaefer
George W. Tsintasroff 6001 S. Anthony George W. Tsintasroff
Ruth M. Schaefer 1815 Ferguson Rd, City Ruth M. Schaefer
(Signature) (Address) (Signature) (Name)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Paul B. McNellis 2100 Fort Wayne Bank Bldg. 743-5475
(Name) (Address) (Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

OFFICE OF:

REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
REGISTERED LAND SURVEYOR No. 9921 INDIANA
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, Allen County, Indiana. No encroachments existed, except as noted below.


The description of the real estate is as follows, to wit: Part of the Northwest Quarter and Part of the Southwest Quarter of Section 10, Township 20 North, Range 12 East, in Allen County, Indiana, more particularly described as follows:

Beginning at the northeast corner of the Northwest Quarter of Sec. 10, Township 20 North, Range 12 east in Allen County, Indiana; thence south along the east line of the NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 10-29-12 a distance of 3034.1 feet; thence west by a deflection angle to the right of 21 degr. 31 min. 48 sec. a distance of 1327.5 feet to a point on the west line of the east half of the SE $\frac{1}{4}$ of Sec. 10-29-12; thence north along the west line of the east half of the SE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 10-29-12, by a deflection angle to the right of 51 degr. 24 min. 01 sec. a distance of 3095.1 feet to a point on the north line of the NW $\frac{1}{4}$ of Sec. 10-29-12; thence east along said line by a deflection angle to the right of 30 degr. 04 min. 40 sec. a distance of 1330.14 feet to the point of beginning, containing 94.19 acres, more or less, subject to road right of way and easements.

SHEET # 2 OF 2

JOB FOR: SCHAEFFER

2-28-73
REV. 4-5-73


JOHN R. DONOVAN

CERTIFICATE OF SURVEY

OFFICE OF:

JOHN R. DONOVAN

REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA

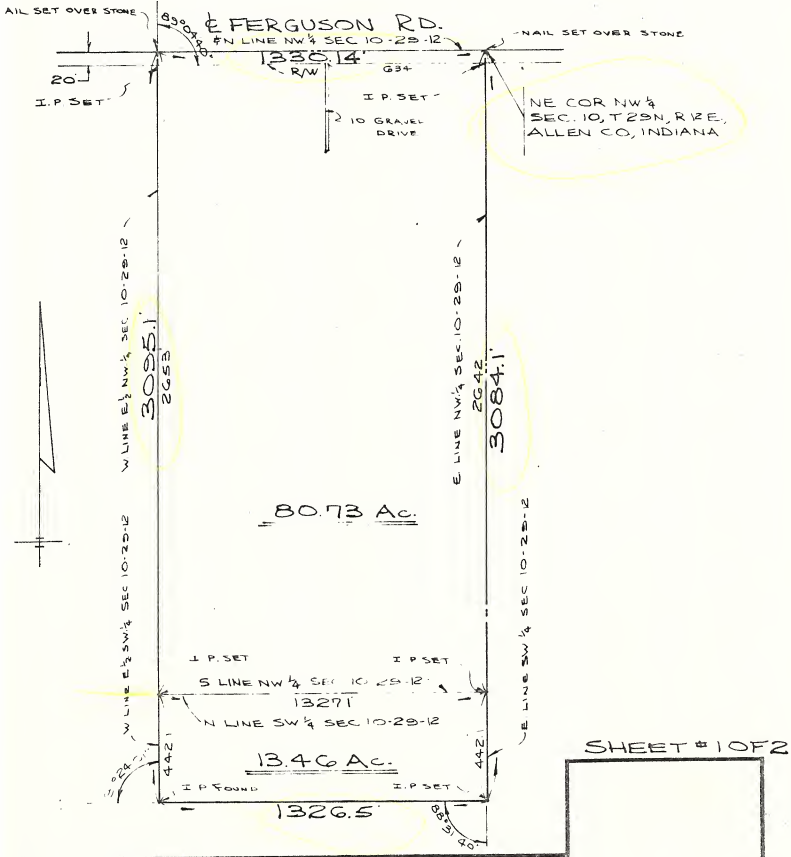
REGISTERED LAND SURVEYOR No. 9921 INDIANA

FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: SEE SHEET # 2 FOR LEGAL DESCRIPTION



JOB FOR: SCHAEFER

1"=400'
2-28-73
REV 4-5-73

Exhibit "A"

SHEET # 1 OF 2

JOHN R. DONOVAN

Admn. Appr. ☒

Number assigned by Dave Keller's Office: # 3194

DIGEST SHEET

3-73-08-24

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of a Zoning Map Amendment Ordinance

Petition initiated by property owners to rezone property located as follows:

A parcel of ground containing approximately 94 acres, located approximately
500 feet east of Bluffton Road, extending southward from Ferguson Road.,

Zoning change from "RB" to "M2"

EFFECT OF PASSAGE Request change from "RB" Zoning - Suburban Residential
to an "M2" Zoning - General Industrial

EFFECT OF NON-PASSAGE Property would remain residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) REG

WCM



CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

October 26, 1973

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of October 29 & November 5, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana:

Amending the City of Fort Wayne
Zoning Map No. G5 - Z-23-73
Bill No. Z-73-08-40

Amending the City of Fort Wayne
Zoning Map No. A17 - Z-22-73
Bill No. Z-73-08-38

Amending the City of Fort Wayne
Zoning Map No. CC24 - Z-21-73
Bill No. Z-73-08-24

Amending the City of Fort Wayne
Zoning Map No. JJ1 - Z-20-73
Bill No. Z-73-08-22

Amending Sections 3 and 14 of
the Zoning Ordinance of the City
of Fort Wayne, Indiana, pertaining
to the definitions of Group Homes
and Half-Way Houses and for their
locations in certain districts as
permitted uses. G-26-73
Bill No. G-73-09-14.

Respectfully,

CWW/ne
ENCL: 5

Charles W. Westerman
City Clerk

Common Council, City Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

108 lines, 1 columns wide equals equivalent lines at 288¢ \$ 31.10

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions two

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 11-7-73, 19

Title CLERK

ZONING MAP ORDINANCE NO. Z-21-73
SIII no. Z-73-08-24

Notice is hereby given that on the 23rd day of October, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Z-21-73 Zoning Map Ordinance, to-wit:

An Ordinance amending the City of Fort Wayne Zoning Map No. CC24.

Be it ordained by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1: That the area described as follows is hereby designated a M-2 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2936 and amendments thereto, and the symbols of the City of Fort Wayne Zoning Map No. CC24 referred to therein, established by Section 9, Article III of said chapter as amended, are hereby changed accordingly, to-wit:

Part of the Northwest Quarter and Part of the Southwest Quarter of Section 10, Township 29 North, Range 12 East, in Allen County, Indiana, more particularly described as follows:

The Northwest Quarter of Section 10, Township 29 North, Range 12 East in Allen County, Indiana, thence south along the east line of the NW¼ and the SW¼ of Sec. 10-29-12 a distance of 308.1 feet; thence west by a deflection angle to the right of 88 deg. 31 min. 40 sec. a distance of 126.3 feet to a point on the west line of the east half of the SW¼ of Sec. 10-29-12; thence north along the west line of the east half of the SW¼ and the NW¼ of Sec. 10-29-12, by a deflection angle to the right of 61 deg. 24 min. 01 sec. a distance of 105.1 feet to a point on the north line of the NW¼ of Sec. 10-29-12; thence east along the east line by a deflection angle to the right of 89 deg. 54 min. 40 sec. a distance of 1336.14 feet to the point of beginning containing 94.19 acres, more or less, subject to road right of way and easements.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

VIVIAN G. SCHMIDT,

Read the third time in full and on motion by Nuckolls, seconded by Hingo, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Seven—Burns, Hingo, Moses, Nuckolls, D. Schmidt, Siler, Talarico

Nays: One—V. Schmidt

Absent: One—Kraus

Date: 10-23-73

CHARLES W. WESTERMAN,

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-21-73 on the 23rd day of October, 1973.

ATTEST: (Seal)

CHARLES W. WESTERMAN,

WINFIELD C. MOSES, Jr.,

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN,

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 O'clock P.M., E.S.T.

IVAN A. LEBAMOFF,

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-21-73 passed by the Common Council on the 23rd day of October, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of October, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of October, 1973.

CHARLES W. WESTERMAN,

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

In state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s, the dates of publication being as follows:

October 29 and November 5, 1973

Subscribed and sworn to before me this 7th day of November 1973

Notary Public

My commission expires March 8th, 1974

COMMON COUNCIL, CITY OF FORT WAYNE
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

ALLEN

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

2

Body number of lines

104

Tail number of lines

2

Total number of lines in notice

108

COMPUTATION OF CHARGES

108 lines, 1 columns wide equals equivalent lines at 288¢
cents per line

\$31.10

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 31.10

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions two

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

G.M. Hostman

Date 11-7-73, 19

Title Clerk

ZONING MAP ORDINANCE NO. 2-21-73

Bill No. 275-0824

Notice is hereby given that on the 23rd day of October, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following 2-21-73 Zoning Map Ordinance, to-wit:

An Ordinance amending the City of Fort Wayne Zoning Map No. C24.

Be It ordained by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1: That the area described as follows is hereby designated a M-2 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, No. 288, as amended by General Ordinance No. C24, and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. C24 referred to therein, as established by Section 9, Article III of said Charter as amended, are hereby changed accordingly, to-wit:

Part of the Northwest Quarter and Part of the Southwest Quarter of Section 16, Township 29 North, Range 12 East, in Allen County, Indiana, more particularly described as follows:

Beginning at the northeast corner of the Northwest Quarter of Sec. 16, Township 29 North, Range 12 East in Allen County, Indiana, and running south along the east line of the NW¼ of the SW¼ of Sec. 16-29-72 a distance of 3084.1 feet; thence west by a deflection angle to the right of 88 deg. 31 min. 40 sec. a distance of 124.5 feet to a point on the west line of the east half of the NW¼ of Sec. 16-29-72; thence north along the west line of the east half of the SW¼ and the NW¼ of Sec. 16-29-72 by a deflection angle to the right of 91 deg. 24 min. 01 sec. a distance of 395.1 feet to a point on the north line of the NW¼ of Sec. 16-29-72; thence east along said line by a deflection angle to the right of 89 deg. 04 min. 40 sec. a distance of 132.14 feet to the point of beginning, containing 84.19 acres, more or less, subject to road right of way and easements.

SECTION 2: This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

VIVIAN G. SCHMIDT,

Councilman
Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage, PASSED by the following vote:

A.Y.E.s: Seven—Burns, Hinga, Moses, Nuckols, D. Schmidt, Siler, Talarico
Nays: One—V. Schmidt
Absent: One—Kraus
Date: 10-23-73

CHARLES W. WESTERMAN,

City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-21-73 on the 23rd day of October, 1973.

ATTEST: (Seal)

CHARLES W. WESTERMAN,

City Clerk
WINFIELD C. Moses, Jr.,
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN,

City Clerk
Approved and signed by me this 24th day of October, 1973, at the hour of 2:00 O'clock P.M., E.S.T.

IVAN A. LEBAMOFF,

Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-21-73 passed by the Common Council on the 23rd day of October, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of October, 1973 and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 24th day of October, 1973.

CHARLES W. WESTERMAN,

City Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

October 29 and November 5, 1973Subscribed and sworn to before me this 7th day of November 1973*G.M. Hostman*
*Notary Public*My commission expires March 24th, 1974